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Caroline Wei-Berk (Signature)

FROM: Caroline Wei-Berk
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Listed below are the item(s) being submitted with this Certificate of Transmission:

- 1) Response to restriction requirement (2 pages)
- 2)
- 3)

Inventor(s): Corrand et al.

S.N.: 10/089,336

Filed: March 27, 2002

Case: CM2204M

Confirmation No. 1443

Art Unit: 1755

Examiner: David Brunsman

Number of Pages Including this Page: 3Comments:

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CAROLINE WEI-BERK 43,203
Name of Attorney Reg. No.
Caroline Wei-Berk 10/21/04
Signature Date

Case CM2204M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of

Corrand et al.

Serial No. 10/089,336

Confirmation No. 1445

Filed: March 27, 2002

Group Art Unit: 1755

Examiner: David Brunsman

Title: FOAMS EXTERIORS AND FOAM COATED COMPOSITIONS

Box Amendment

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This paper is fully responsive to the Restriction Requirement mailed September 23, 2004.

Restriction of Invention

The Examiner requires election under 35 U.S.C. §121 to one of the following three groups:

Group I: Claims 50-59, drawn to delivery systems; and

Group II: Claims 60-62, allegedly drawn to delivery methods.

The examiner further require Applicants to designate of a single polymer as the polymeric material and a single compound as the active ingredient for purpose of examination.

Election with Traverse

In a desire to expedite prosecution of the present application, Applicants respectfully elect Group I, Claims 50-59 drawn to delivery systems, with traverse.

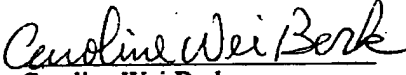
Applicants further designate polyvinyl alcohol as the polymeric material and amylase as the active ingredient to be examined, with the full knowledge that if a generic claim is found to be allowable, then the additional species are entitled to consideration.

Applicants submit that a single inventive concept is involved in all claims, namely, the discovery of a delivery system for certain active ingredients which is stable in air and is unstable in water and the delivery system is suitable for use in a method that upon exposure to an aqueous environment, the active is released. Therefore, Applicants submit that these claims are closely interrelated from the patentability assessment point of view and should be prosecuted in the same application.

Further, Applicants submit that the Examiner could easily search the delivery system and the method of using said delivery system co-extensively, because the present methods are linked to said delivery system. Therefore, Applicants submit that prosecuting these claims together in the same application would not impose undue burden on the Examiner; it is, in fact, more efficient to prosecute all the claims in one application.

Based on the foregoing, Applicants respectfully request that the examiner reconsider and withdraw the restriction and election requirements.

Respectfully Submitted,
FOR: Corrand et al.


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October 21, 2004
Customer No. 27752